# UNITED STATES PATENT AND TRADEMARK OFFICE

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| 09/813,354 | 03/21/2001 | Marieke Iwema | 03797.00084 | 3470 |

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| EXAMINER |
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| BASEHOAR, ADAM L |

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DATE MAILED: 01/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

-- Th *MAILING DATE* of this communication appears on th *cov r sh et with the correspondenc address* --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1) ☒ Responsive to communication(s) filed on _18 October 2004_.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

4) ☒ Claim(s) _1-5,7-10,14 and 27-45_ is/are pending in the application.

   4a) Of the above claim(s) _6 and 15-26_ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-5,7-10,14 and 27-45_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

## Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1. ☐ Certified copies of the priority documents have been received.

   2. ☐ Certified copies of the priority documents have been received in Application No. _____.

   3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _08/09/04_.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

## DETAILED ACTION

1.      This action is responsive to communications: The Amendment filed 10/18/04 to the

original application filed on 03/21/01which claims domestic priority to Provisional Application

60247842 filed on 11/10/00 and the IDS filed on 07/20/01.

2.      Claims 6, 11-13, and 15-26 have been cancelled as necessitated by Amendment.

3.      Claims 27-45 have been added as necessitated by Amendment.

4.      Claims 1-5, 7-10, 14, and 27-45 are pending in the case.  Claims 1, 27-28, 37, 40, and 42

are independent claims.

## *Information Disclosure Statement*

5.      The information disclosure statement (IDS) submitted on 08/09/04 is being considered by

the examiner.

## *Claim Rejections - 35 USC § 102*

6.      The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7.      Claims 1, 4-5, 7-10, 14, and 27-45 are rejected under 35 U.S.C. 102(b) as being

anticipated by Forcier (US-5,953,735 09/14/99).

**-In regard to independent claim 1,** Forcier teach a method for editing documents on a computer system:

inserting an insertion point icon (gesture prompt symbol) at a first position in an electronic document (column 14, lines 5-10);

receiving one more user inputs indicating movement from said first position to a second position (column 14, lines 16-17);

responsive to said one or more user inputs (pen/stylus down location), displaying an origin icon (gesture prompt symbol) at said first position (column 14, lines 5-10)(Fig. 4: 50), and displaying a moving icon (gesture line stroke)(column 14, lines 56-57)(Fig. 4: 54, 56, 58, and 60) at said second position (Fig. 7B);

displaying a connection line (Fig. 4: 41) between said origin icon (Fig. 4: 50) and a point on a margin (Fig. 7Q & 7S) of said electronic document different from said second position (columns 15-16, lines 48-67 & 1-3); and

moving one or more portions of said electronic document responsive to one or more user inputs (column 14, lines 55-67)(Fig. 7A-B).

**-In regard to dependent claim 4,** Forcier teach wherein said one or more of said user inputs (first and second locations) (column 14, lines 5-22) was generated using a stylus (column 7, lines 2-4)(Fig. 2: 14).

-**In regard to dependent claim 5**, Forcier teach comprising the step of displaying a

connection line (Fig. 4: 51) between said origin icon (Fig. 4: 50) and said moving icon as said

moving gesture stroke icon moves (column 14, lines 8-22).

**-In regard to dependent claim 7**, Forcier teach comprising the step moving said moving

icon responsive to said user stylus input (gesture stroke), and keeping said origin icon stationary

while said moving icon moves (column 14, lines 8-22) to the length of the gesture stroke

(column 14, lines 56-57).

**-In regard to dependent claim 8**, Forcier teach wherein the step of moving further

comprises the step of inserting (Fig. 4A) or deleting (Fig. 4B) space (column 14, lines 55-67)

between said first position and said second position (Fig. 7B & 7C).

**-In regard to dependent claim 9**, Forcier teach wherein said electronic document was a

text document having directional flow (column 6, lines 52-55)(Fig. 7A), and said moved portion

(Fig. 7B: Everything to the right of "This is a printed script.") of said document was located

downstream, from said first position (user selected gesture prompt)(Fig. 4: 50) prior to said step

of moving said one or more portions of said document (Fig. 7A: Prior location of moved

portion).

**-In regard to dependent claim 10**, Forcier teach wherein said deleted space was

contiguous space within said document (Fig. 7C). Forcier also teaches preserving certain

relationships of data during user editing such as words and paragraphs (Abstract: lines 14-18).

Forcier further teaches a user input (gesture stroke) could indicate movement beyond a page in

the document containing multiple pages wherein data could be moved to successive pages

(columns 8 & 15, lines 44-46 & 50-55). So based on the teachings of preserving data

relationships, a user gesture attempting to move document data beyond a single page document

(column 8, lines 18-20) or that last page of a multi-page document would be terminated by virtue

of the lack of space to which to move the document data.


**-In regard to dependent claim 14,** Forcier teach a computer-readable medium having

executable instructions for carrying out the steps of claims 1 (column 2, lines 66-67)(Fig. 2: 10).


**-In regard to independent claim 27,** Forcier teaches a method comprising:

placing an insertion point icon (gesture prompt symbol) at a first position in an electronic

document (column 14, lines 5-10);

receiving a stylus input (Fig. 2: 24) indicating movement from the first position to a

second position (column 14, lines 16-17) responsive to a stylus contacting a digitizer (columns

13 & 14, lines 47-62 & 16-32)(Fig. 2: 22);

displaying an origin icon (gesture prompt symbol) at the first position (column 14, lines

5-10)(Fig. 4: 50), and displaying a moving icon (gesture line stroke)(column 14, lines 56-

57)(Fig. 4: 54, 56, 58, and 60) at the second position (Fig. 7B); and

moving portions of said electronic document (column 14, lines 55-67)(Fig. 7A-B)

responsive to the stylus breaking contact with the digitizer (column 14, lines 16-33)(Fig. 3B:

"Pen Up Event").


**-In regard to independent claim 28 and dependent claim 34,** Forcier teaches a method

and computer readable medium comprising:

placing an insertion point icon (gesture prompt symbol) at a first position in an electronic

document (column 14, lines 5-10);

detecting a stylus (Fig. 1: 14) proximate to the insertion point icon (columns 13 & 14,

lines 55-67 & 1-17) ;

responsive to detecting, providing feedback indicating that the insertion point icon was

selectable (column 13, lines 53-55);

receiving a first stylus input selecting the insertion point icon (column 14, lines 17-21);

receiving a second stylus input (gesture line stroke)(column 14, line 19-21) indicating

movement from the first position to a second position (gesture line stroke)(column 14, lines 56-

57)(Fig. 4: 54, 56, 58, and 60);

displaying an origin icon (gesture prompt symbol) at the first position (column 14, lines

5-10), and displaying a moving icon (gesture line stroke)(column 14, lines 56-57)(Fig. 4: 54, 56,

58, and 60) at the second position (Fig. 7B); and

moving portions of said electronic document (column 14, lines 55-67)(Fig. 7A-B)

responsive to the second stylus input (column 14, lines 16-33).

-**In regard to dependent claim 29,** Forcier teaches wherein providing feedback (column 13, liens 53-55) includes alerting the appearance of the insertion point icon (column 14, lines 5-15: "take the form associated with the class of gestures that it represents").

-**In regard to dependent claim 30,** Forcier teaches morphing (i.e. all become part of one editing gesture) the insertion point icon (Fig. 4: 41) into the origin icon (Fig. 4: 41) and the moving icon (gesture line stroke)(column 14, lines 56-57)(Fig. 4: 54, 56, 58, and 60) responsive to receiving the first stylus input (i.e. movement in a selected direction)(column 14, lines 16-21).

-**In regard to dependent claims 31 and 41,** Forcier teaches providing a bungee line (Fig. 4: 54, 56, 58, and 60) that connects the origin icon (Fig. 4: 41) and the moving icon (gesture line stroke)(column 14, lines 56-57)(Fig. 4: gesture line stroke tip).

-**In regard to dependent claim 32,** Forcier teaches wherein the stylus input was capable of indicating movement in any direction in and x-y plane from the insertion point icon (columns 20-21, lines 61-67 & 1-67)(Fig. 6C: Possible directions relative to insertion point icon "x").

-**In regard to dependent claim 33,** Forcier teaches wherein the stylus input was capable of indicating movement in eight separate directions (columns 20-21, lines 61-67 & 1-67)(Fig. 6C: Eight possible direction encoding from a point "x").

    **-In regard to dependent claims 35 and 43,** Forcier teaches prompting a user (i.e. with the gesture prompt)(column 14, lines 5-15) whether space should be inserted or deleted from the first position (origin icon) to the second position (column 14, lines 16-17); and

    receiving user input indicating what should be done via the gesture used (column 14, lines 55-67).

    **-In regard to dependent claims 36 and 38,** Forcier teaches where if space was to be deleted between the origin icon and the moving icon, the space could include content (column 15, lines 10-12)(Fig. 4D: 60 & Fig. 4I: "Delete line contents/delete line").

    **-In regard to independent claim 37 and dependent claim 39,** Forcier teaches a method and computer readable medium comprising:

    receiving user input identifying a first location on a first line in an electronic document (Fig. 7F: Gesture Prompt Located on the first line of the electronic document);

    receiving user input identifying a second location in the middle of a second line in the electronic documents (Fig. 7F: User stroke line indicates inserting a blank line in the middle of the second line of the electronic document), the second line being different from the first line (i.e. the second line is the line after the first line); and

    inserting (Fig. 7F) or deleting (Fig. 7H) space in the electronic document from the first location to the second location (columns 14-15, lines 55-67 & 1-67).

    **-In regard to independent claim 40,** Forcier teaches a method comprising:

placing an insertion point icon (gesture prompt symbol) at a first position in an electronic

document (column 14, lines 5-10);

receiving user input indicating movement from the first position to a second position

(column 14, lines 16-17);

displaying an origin icon at said first position (column 14, lines 5-10)(Fig. 4: 50),

displaying a moving icon at the second position (gesture line stroke)(column 14, lines 56-

57)(Fig. 4: 54, 56, 58, and 60) within a margin (Fig. 7Q & 7S), and displaying a margin dynamic

connector connecting the origin icon to a point on the margin corresponding to a text line (i.e.

text line adjacent to the second position) associated with the second position (columns 15-16,

lines 48-67 & 1-3); and

moving a portion of said electronic document responsive to said user input (column 14,

lines 55-67)(Figs. 7Q-7S).


**-In regard to independent claim 42 and dependent claim 45,** Forcier teaches a method

and computer readable medium comprising:

placing an insertion point icon (gesture prompt symbol) on a first line in an electronic

document (Fig. 7F: Gesture Prompt Located on the first line of the electronic document);

receiving a stylus (Fig. 1: 14) input indicating movement from the first position to a

second position located within a middle of a second line different from the first line (Fig. 7F:

User stroke line indicates inserting a blank line in the middle of the second line of the electronic

document); and

moving a portion of said electronic document from the first position to the second

position (column 14, lines 55-67)(Figs. 7Q-7S).

**-In regard to dependent claim 44,** Forcier teaches displaying an origin icon (gesture

prompt symbol) at the first position (column 14, lines 5-10) and displaying a moving icon

(gesture line stroke)(column 14, lines 56-57)(Fig. 4: 54, 56, 58, and 60) at the second position

(Fig. 7B).

### *Claim Rejections - 35 USC § 103*

8.      The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

9.      Claims 2-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Forcier (US-

5,953,735 09/14/99).

**-In regard to dependent claim 2,** Forcier teach wherein the shape of the insertion point

icon (gesture prompt symbol)(Fig. 4: 50) can be varied (column 14, lines 8-15). Forcier does not

specifically teach wherein one of the shapes of the insertion point icon included one or more

directional indicators. However, Forcier does implicitly teach wherein the initial insertion point

icon was bound by directional indicators (Fig. 6C) used to calculate possible movements from an

initial point "x" (column 21, lines 42-67). It would have been obvious to one of ordinary skill in

the art at the time of the invention, for Forcier's variable insertion point icons to have displayed

their implicit directional indicators for possible future movements, because it would have

provided the obvious advantage of giving the user a quick intuitive guide to which directional

gestures were allowed by the prompt, wherein the basic function of any icon was to provide a

graphical representation to help users make easy informed selections.


        **-In regard to dependent claim 3**, Forcier teach wherein said moving icon (gesture line

stroke) included a directional indicator (i.e. stroke direction arrow head)(Fig. 4: 54, 56, 58, 60).

Forcier also teach, as shown above in regards to claim 7, that the insertion point icon was

stationary and said moving icon was movable.  As discussed above in claim 2, Forcier does not

specifically teach wherein on of the shapes of the insertion point icon included one or more

directional indicators.  However, Forcier does implicitly teach wherein the initial insertion point

icon was bound by directional indicators (Fig. 6C) used to calculate possible movements from an

initial point "x" (column 21, lines 42-67). It would have been obvious to one of ordinary skill in

the art at the time of the invention, for Forcier's variable insertion point icons to have displayed

their implicit directional indicators for possible future movements, because it would have

provided the obvious advantage of giving the user a quick intuitive guide to which directional

gestures were allowed by the prompt, wherein the basic function of any icon was to provide a

graphical representation to help users make easy informed selections.



                                *Response to Arguments*

10.      Applicant's arguments filed 10/18/04 have been fully considered but they are not

persuasive.

In regard to independent claim 1, Applicant argues that Forcier does not teach displaying a connection line between an origin icon and a point on a margin of the electronic document at a position different from the second position. The examiner respectfully disagrees with the Applicant and believes that Forcier does indeed teach this feature. As shown (columns 15-16, lines 48-67 & 1-3), Forcier teaches showing a connection line gesture between an origin icon (gesture prompt icon) and all points along the gesture stroke in the margin. While Forcier does teach displaying a connection line between an origin icon and the position defining said second position, the connection line also connects every other point on said line with the origin icon. Similarly, newly added claim 40 was anticipated by Forcier. Forcier teaches displaying a connection line between an origin icon in the margin with the second position which was also located in the margin, wherein the dynamically connected second position corresponds to the text line which it is adjacent to for gesture processing.

Applicant also argues that the newly added claims 27-45 are allowable over the Forcier. With regard to each newly added claim please note the above rejections for each claim.

## *Conclusion*

11.     **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

12.    Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Adam L Basehoar whose telephone number is (571)-272-4121.

The examiner can normally be reached on M-F: 7:00am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Steve Hong can be reached on (703) 308-5465. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ALB

**STEPHEN HONG**
**SUPERVISORY PATENT EXAMINER**